

## **FUNDING AGREEMENT DEED OF VARIATION**

### **VARIATION THREE**

The parties to this Deed are:

- (1) The Secretary of State for Education ("the Secretary of State"),  
  
- and -
- (2) Holy Cross Catholic Primary School (formerly known as Holy Rood Catholic Junior School), a charitable company incorporated in England and Wales with registered number 07696905 ("the Academy Trust"),

together referred to as the "Parties".

### **INTRODUCTION**

- A. The Parties entered into a funding agreement dated 29 July 2011 as varied by Deeds of Variation dated 12 August 2014 and 20 August 2014 ("the Funding Agreement") relating to the establishment, maintenance and funding of an independent school known as Holy Cross Catholic Primary School (formerly known as Holy Rood Catholic Junior School).
- B. The Parties now wish to amend the terms of the Funding Agreement and wish to record their agreement as to such amendments by this Deed.

### **LEGAL AGREEMENT**

1. Any word or phrase used in this Deed shall, if that word or phrase is defined in the Funding Agreement, bear the meaning given to it in the Funding Agreement.
2. The Parties agree that with effect from the date of this Deed the Funding Agreement shall be amended in accordance with the Schedule to this Deed.
3. As varied by this Deed, the Funding Agreement shall remain in full force and effect.
4. This Deed shall be governed by and interpreted in accordance with English law.

EXECUTED AND DELIVERED AS A DEED by the Parties on the 17<sup>th</sup> day  
of September 2014

The Corporate Seal of the Secretary of State for Education hereunto affixed is  
authenticated by:

  
*David McKee*  
.....  
Duly Authorised by the Secretary of State for Education

Executed on behalf of Holy  
Cross Catholic Primary  
School by:

*T. McAteer*  
.....  
Director

Print name *TONY McATEER*.....

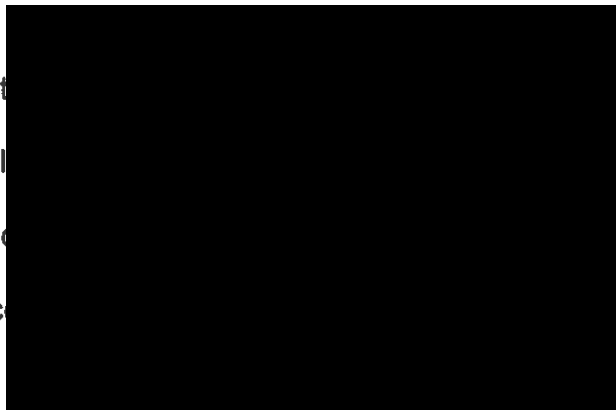
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## **Schedule**

### **Amendments to the Funding Agreement**

1. The existing clause 52(b) of the Funding Agreement shall be deleted and replaced as follows:

"the total number of pupils as measured in the Schools Census for the preceding January is 90% or more of the planned final size of the Academy which is 452; and"